

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: October 19, 2005  
Bulk Item: Yes X No    

Division: Growth Management  
Department: Planning & Environmental Res.  
Staff Contact Person: K. Marlene Conaway

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**AGENDA ITEM WORDING:**

A public hearing to consider adopting a Resolution replacing Resolution No. 211-2003 and establishing a new fee schedule for planning and development applications.

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**ITEM BACKGROUND:**

The Growth Management Division has prepared a new fee schedule for submittal of planning and development approval applications. The new fee schedule is based on an analysis of applications and incorporates "full labor" costs incurred to process applications, including reasonable indirect costs.

The new fee schedule is intended to fully recover costs incurred in the processing of applications and ensures that customers receiving the benefits of the development approval pay the full share of the costs to reduce burdens on taxpayers at large. The proposed fee increase is conservatively estimated to provide at least \$375,000 in revenues, as reflected in the adopted FY 06 County Budget.

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**PREVIOUS RELEVANT BOCC ACTION:**

The BOCC adopted Resolution 211-2003 on June 18, 2003 and the County FY 06 Budget on September 28, 2005.

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**CONTRACT/AGREEMENT CHANGES:** N/A

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**STAFF RECOMMENDATIONS:**

Approval

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**TOTAL COST:** \$375,000

**BUDGETED:** Yes X No    

**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:** User Fees

**REVENUE PRODUCING:** Yes X No     **AMOUNT PER MONTH**     **YEAR:** \$375,000

**APPROVED BY:** County Atty X OMB/Purchasing     Risk Management    

**DIVISION DIRECTOR APPROVAL:**

  
\_\_\_\_\_  
Timothy J. McGarry, AICP

**DOCUMENTATION:** Included X Not Required    

**DISPOSITION:**    

**AGENDA ITEM #**

**RESOLUTION NO. -2005**

**A RESOLUTION REPEALING RESOLUTION NO. 211-2003, AND ANY OTHER FEE SCHEDULES INCONSISTENT HERewith, AND AMENDING THE PLANNING AND ENVIRONMENTAL RESOURCES DEPARTMENT FEE SCHEDULE TO MORE EFFECTIVELY REPRESENT CURRENT COSTS REQUIRED TO ADEQUATELY OFFSET THE TRUE COSTS OF PROVIDING SUCH SERVICE TO THE PARTIES RECEIVING THE BENEFITS OF THE DEVELOPMENT APPROVAL, AND THUS, FURTHER REDUCING THE BURDEN CURRENTLY BEING BORNE BY THE TAXPAYERS AT LARGE; PROVIDING FOR AN EFFECTIVE DATE OF NOVEMBER 1, 2005**

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**WHEREAS**, the Monroe County Board of County Commissioners wishes to provide the citizens of the County with the best possible service in the most cost effective and reasonable manner; and

**WHEREAS**, the Board finds that it would be in the best interest of the general public to charge the true cost for development related services, thereby placing the burden of such costs directly upon those parties deriving the benefit; and,

**WHEREAS**, the Growth Management Director has demonstrated that the existing fee schedule does not reflect the true cost of providing the services to the parties requesting services from the Planning and Environmental Resources Department; and

**WHEREAS**, the updated fee schedule prepared by the Growth Management Division for providing these services includes the estimated direct costs and reasonable indirect costs associated with the review and processing of planning and development approval applications and site plans, on-site biological reviews, administrative appeals, and preparation of official documentation verifying existing development rights; and

**WHEREAS**, after hearing testimony and evidence presented as to the appropriate fee schedule during a public hearing on October 19, 2005, the Board of County Commissioners concurs with the recommendations of the Growth Management Director.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY FLORIDA, THAT:**

**Section 1.** Pursuant to Section 9.5-21, the following schedule of fees to be charged by the Growth Management Division for the filing of land development permits, land development approvals, land development orders, and appeal applications and requests for technical services or official letters attesting to development rights recognized by the County:

Alcoholic Beverage Application <sup>1</sup>	\$ 1,140.00
Administrative Appeals <sup>1</sup>	950.00
Administrative Relief	760.00
Beneficial Use	1,300.00
Biological Site Visit (per visit)	260.00
Boundary Determination	1,090.00
Conditional Use Application, Major <sup>1,2,5</sup>	6,020.00
Conditional Use, Application, Minor <sup>1,2,5</sup>	4,570.00
Conditional Use, Minor Deviation	320.00
Development Agreement <sup>1,5</sup>	8,830.00
Development of Regional Impact <sup>1,5</sup>	9,970.00
DOAH Appeals <sup>3</sup>	570.00
Future Land Use Map Amendment – Residential <sup>1,2,5</sup> (With Land Use Map Amendment)	3,940.00
Future Land Use Map Amendment – Nonresidential <sup>1,2,5</sup> (With Land Use Map Amendment)	4,950.00
Future Land Use Map Amendment – Residential <sup>1,2,5</sup> (Without Land Use Map Amendment)	3,010.00
Future Land Use Map Amendment – Nonresidential <sup>1,2,5</sup> (Without Land Use Map Amendment)	4,020.00
Habitat Evaluation Index (per hour)	60.00
Home Occupation Application	310.00
Land Use District Map Amendment – Residential <sup>1,2,5</sup>	2,940.00
Land Use District Map Amendment – Nonresidential <sup>1,2,5</sup>	3,970.00
LDR or Comprehensive Plan Text Amendment	2,270.00
Letter of Buildability (Current Site Conditions)	850.00
Letter of Development Rights Determination	1,620.00
Minor Conditional – TDR	420.00
Minor Conditional – TRE <sup>2</sup>	570.00
NROGO Application <sup>5</sup>	590.00
Platting, 5 lots or less <sup>5</sup>	1,660.00
Platting, 6 lots or more <sup>5</sup>	3,100.00
Pre-application with Letter of Understanding	620.00
Pre-application with No Letter of Understanding	270.00
Research, permits and records (per hour)	50.00
ROGO Application <sup>2,5</sup>	430.00
ROGO Lot/Parcel Dedication Letter	210.00
Sign Variance	920.00
Special Certificate of Appropriateness	200.00
Vacation Rental Application	390.00
Vacation Rental Renewal	100.00
Vacation Rental Manager License Fee	40.00
Variance, Planning Commission <sup>1,2</sup>	1,060.00
Variance, Planning Director <sup>2,4</sup>	650.00
Vested Rights Determination	850.00
Waiver, Planning Director <sup>2</sup>	420.00

Wetlands Delineation (per hour)<sup>5</sup>

60.00

- <sup>1</sup> Subject to additional fees; \$245 for newspaper advertisement and \$3 per property owner notice.
- <sup>2</sup> No application or other fees for affordable housing projects.
- <sup>3</sup> Subject to additional charges; payment of half the cost of the hearing officer, which is \$66 per hour. County is charged \$132 per hour by DOAH.
- <sup>4</sup> Subject to additional fee of \$3 per property owner notice.
- <sup>5</sup> Subject to technology fee of \$20 for records conversion, storage, and retrieval.

**Section 2.** Resolution No. 211-2003 is hereby repealed.

**Section 3.** The effective date of the Fee Schedule shall be November 1, 2005.

**Section 4.** The Clerk of the Board is hereby directed to forward one (1) certified copy of this Resolution to the Division of Growth Management.

PASSED AND ADOPTED at a regular meeting of the Board of County Commissioners of Monroe County, Florida, held on the 19<sup>th</sup> day of October, 2005.

Mayor Dixie Spear

Mayor Pro Tem Charles "Sonny" McCoy

Commissioner George Neugent

Commissioner David Rice

Commissioner Murray E. Nelson

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BOARD OF COUNTY COMMISSIONERS OF  
MONROE COUNTY, FLORIDA

BY: \_\_\_\_\_  
Mayor/Chairperson

(SEAL)

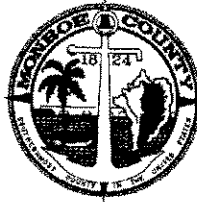
ATTEST: DANNY KOHLAGE, CLERK

By: \_\_\_\_\_  
Deputy Clerk



# County of Monroe


Growth Management Division  
2798 Overseas Highway  
Suite 410  
Marathon, Florida 33050  
Voice: 305.289. 2500  
FAX: 305.289. 2536



Board of County Commissioners  
Mayor Dixie Spehar, District 1  
Mayor Pro Tem Charles "Sonny" McCoy, District 3  
George Neugent, District 2  
David Rice, District 4  
Murray E. Nelson, District 5

## MEMORANDUM

TO: Board of County Commissioners

FROM: Timothy J. McGarry, AICP   
Director of Growth Management

DATE: October 3, 2005

SUBJECT: **Revised Fee Schedule for Planning Applications**

### Overview

The fee schedule for planning applications has not been completely updated since June 2003. Not only have personnel and other costs increased since that time, but with the adoption of FY06 Budget, the County is aggressively implementing cost recovery approaches to providing government services. This philosophy ensures that costs to provide services should be borne by those specifically receiving the benefits of such services.

### Approach

In preparing the new fee schedule, the staff completed the following steps:

- O Time Records. Time records on specific projects kept or produced by staff were tabulated by type of application and reviewed by senior management. These records provided the initial base line information for the senior staff in determining the appropriate average time and staff assigned on each type of planning application.
- O Base Labor Rate. The "fully loaded" FY 06 labor costs, including both direct labor (salary) and fringe benefits, were calculated for each review or processing position. These labor costs were then divided by the number of total hours available by position to review and process applications in a year to provide a base hourly rate. The number of total hours available takes into account holidays, vacations, sick leave, and general administrative duties.

- O Indirect Labor Rate. Indirect costs were then calculated for each position in the Growth Management Division and Fire Marshal's office. Total indirect costs, reflects the amount of funds in the budget to be transferred from Fund 148 to the General Fund in FY 06 to pay for support services provided to Fund 148 activities. This total was divided by the total estimated available hours of all personnel in the Growth Management Division and Fire Marshal's office to provide a per hour indirect rate per position.
- O Full Labor Rate. The per hour direct labor rate and indirect labor rate were added together to provide an hourly "billable" rate for each position.
- O Fee Schedule Work Sheet. The fee schedule work sheet (Exhibit A) was used to calculate the anticipated labor costs to process and review each type of application. The average number of hours assigned to each application type by position is shown on the worksheet. A reference identifying each position is provided at the end of the worksheet.

### **Change in Fee Schedule**

Exhibit B provides a comparison between the current and proposed fee schedule. Fees for most planning applications will be increased, some significantly such as Development Agreements, Beneficial Use Determinations, Future Land Use Amendments, and Platting of 6 or more lots. Fees for other applications are proposed for reductions, based on the results of an examination of actual staff time historically applied to these types of applications.

A major proposed change is that the Planning and Environmental Resources Department will no longer use the "Pre-Application with Letter of Understanding" application to provide applicants with a written official determination of the number of dwelling units and non-residential floor space "lawfully" recognized by the County on properties. Such determination will be through a new application and service called "Letter of Development Rights Determination".

The current "Pre-application with Letter of Understanding" has been bogged down by the demand on the staff to conduct lengthy and costly reviews of planning and building records. Such determination should be conducted separately. This change would allow the pre-application process to be conducted as was its original purpose, to be an interactive forum for review by staff and applicant of conceptual development plans and to make applicants aware of County policies, regulations, and procedures.

In addition, the Planning Department will offer a more inexpensive option to applications called a "Pre-application without a Letter of Understanding". This lower cost option would make the staff available for discussion of development proposals with property owners/applicants without the need for a written Letter of Understanding. It would also help recoup the costs of staff time that where property owners and developers routinely arrange meetings with staff to discuss their development proposals without paying for the service, which is required in the Pre-application process.

In addition, a small "Technological Fee" will be applied to certain permit applications for records conversion, storage, and retrieval. This fee will assist the Planning and Environmental Resources Department in progressing toward a more "paper-less" system.

### **Anticipated Revenues**

The staff anticipates that the proposed new fee schedule will result in at least \$350,000 in revenues for FY06. The staff estimates that without the proposed increase in fee schedule the projected revenues for FY06 may be less than \$300,000, depending upon the level of development activity. These revenues will cover the costs incurred by staff in processing and reviewing these applications further eliminating any subsidy to pay for such services from ad valorem and non-user fee revenue sources.

### **Recommendation**

The staff recommends approval of the resolution establishing a new fee schedule for Planning and Environmental Resources Department that will go into effect on November 1, 2005.

Exhibits

[illegible]

# FEE SCHEDULE WORKSHEET

APPLICATION/SERVICE	GMD	PD	DIPT	PP	SP/P	BIO	PT	PCC	ADMIN	ENG	FM	ATT
	\$88.00	\$76.00	\$59.00	\$51.00	\$46.00	\$51.00	\$39.00	\$37.00	\$36.00	\$51.00	\$44.00	\$55.00
Alcoholic Beverages		1	1		4		16	2	2			1
Admin. Appeals	1	3		3			3	2	2			4
Admin. Relief	2	3			2		2		2			2
Beneficial Use	2	5			3	4			2			6
Biological Site Visit						4						
Boundary Determination		1	1		1		20		2			1
Flum Res. Amend. w/ LU	3	6	4		40	8	4	4	4			5
Flum Comm. Amend.w/LU	4	8	6		48	12	6	4	4			5
Flum Res. Amend. wo/LU	2	5	3		32	6	3	3	3			3
Flum Comm. Amend.wo/LU	3	7	5		40	10	5	3	3			3
LDR/Comp Plan Txt Amend.	3	6		12	12			3	3			3
Conditional Use (Major)	2	8	8	12	48	16	8	4	2	4	4	4
Conditional Use (Minor)	1	6	6	5	40	16	8	2	2	2	2	2
Conditional Use-minor dev.		1	1		2	1		1	2			
Conditional Use (Minor) -TRE		2	2		16	2	8	2	2			2
Development Agreement	24	48		32		16		4	4			6
Development Rights Letter	1	2			2	4	24		1			2
DRI	16	64		48			16	4	4			6
DOAH Appeals								12	2			1
Home Occupation		0.5					6		1			
LU District Map Amend/Comm	2	6	4		40	16	4	3	2			2
LU District Map Amend/Res	2	4	4		32	6	3	3	3			2
Letter of Buildability-Site Visit						16			1			
NROGO Application							8		2			1
Platting-5 Lots or Less		2	1		1	2						
Platting-6 Lots or More		4	1		8	1	24	1	1	2		1
Pre-app w/ LOU		2	2		3	2	48	2	2	3	2	
Pre-app without LOU		1	1		1	1	2		1			
ROGO Application							6		1			
ROGO Land Dedication						3.5			1			1
Sign Variance		1	1				16	2	1			
TDR-Minor Conditional Use		1				8			1			1
TRE-Minor Conditional		1			4	2	3		1			
Vacation Rental Determination		1					8					
Vacation Rental Manager							0.5		0.5			
Variance-P.C.		1		1	10		8	2	1			1
Variance-Planning Director		3					8	1	2			



Vested Rights Determination	2	2		4	2		2	3	\$851.00
Waiver-Planning Director		2				6	1		\$422.00
<b>Position Reference</b>									
Growth Management Director		GMD							
Planning Director		PD							
Dir, Island Planning Team		DIPT							
Principal Planner		PP							
Senior Planner/Planner		SP/P							
Biologist		BIO							
Planning Technician		PT							
Planning Comm. Coord.		PCC							
Assorted Admin Staff		ADMIN							
Engineer		ENG							
Fire Marshal		FM							
Attorney		ATT							

EXHIBIT B

**CURRENT VERSUS PROPOSED  
PLANNING AND DEVELOPMENT  
APPROVAL APPLICATION FEES AND SERVICE CHARGES**

<u>Application/Service</u>	<u>Current</u>	<u>Proposed</u>	<u>Change</u>
Alcoholic Beverage App.	\$ 1,350	\$1,140	\$ (210)
Administrative Appeals	250	950	700
Administrative Relief	0	750	750
Beneficial Use	500	1,300	800
Biological Site Visit (per visit)	100	200	100
Boundary Determination	500	1,090	590
Conditional Use (Major)	5,390	5,970	580
Conditional Use (Minor)	4,500	4,570	70
Conditional Use (minor deviation)	100	320	220
Development Agreement	4,000	8,830	4,830
DOAH Appeals	200	570	370
FLUM Amen.– Res w/ LUM Am..	2,590	3,930	1,340
FLUM Amen.–Com w/LUM Am..	3,590	4,950	1,360
FLUM Amen. – Res w/o LUM Am.	2,590	3,010	420
FLUM Amen. – Com w/o LUM Am.	3,590	4,020	430
Home Occupation Application	250	350	100
Land Use Map Amend – Res.	2,090	2,940	850
Land Use Map Amend – Comm.	3,090	3,970	880
LDR/Comp Plan Text Amend.	2,590	2,270	320
Letter of Buildability	350	850	500
Letter of Development Rights Deter.	n/a	1,620	----
Minor Conditional –TDR	700	520	(180)
Minor Conditional – TRE	700	570	(130)
NROGO Application	500	590	90
Platting, 5 lots or less	1,000	1,660	660
Platting, 6 lots or more	2,000	3,100	1,100
Pre-app w/ Letter of Understanding	500	620	120
Pre-app w/ no Letter of Understanding	n/a	270	----
ROGO Application	200	430	230
ROGO Lot/Parcel Dedication Letter	175	210	35
Sign Variance	700	920	220
Special Certificate of Appropriateness	200	200	0
Vacation Rental Application	245	390	145
Vacation Rental Application Renewal	100	100	0
Vacation Rental Manager Lic. Fee/Ren	35	40	5
Variance, Planning Commission	1,330	1,060	(270)
Variance, Planning Director	750	650	(100)
Vested Rights Determination	700	850	150
Waiver, Planning Director	750	420	(330)

Notes: Additional charges or charges for services by the hour are not shown.